

REGION I TECHNICAL ASSISTANCE REQUEST			
Date:	11/29/05	Package Accession No.	ML050960108
ADAMS Send to:	Dominick Orlando Division of Waste Management and Environmental Protection, NMSS		
From:	George Pangburn, Director Division of Nuclear Materials Safety		
Original signed by:			
Licensee:	Heritage Minerals, Inc.		
License No.	SMB-1541	Docket No.	040-08980 Control No.
Letter Dated:	10/25/05 10/28/05	ADAMS Accession No.	ML053110440 ML053110437
Enforcement Action being held in abeyance:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
<p>Problem or Issue:</p> <p>Heritage Minerals, Inc. (HMI) has completed the remediation of the site as required by its approved License Termination Plan. As a former-SDMP (i.e. grandfathered) site, it is exempt from the radiological criteria for license termination in 10 CFR 20 Subpart E. However, SECY-04-0024 requires Commission approval to release grandfathered sites if the dose from residual radioactivity exceeds the unrestricted release criteria in Subpart E.</p> <p>A dose-assessment for the NRC-licensed portions of the HMI site was performed by DWM in response to the referenced 2005 TAR (ADAMS Accession No. ML). This dose-assessment was made publicly-available and also was provided to the interested parties (HMI and the New Jersey Department of Environmental Protection (NJDEP)) for comment. Region I received comments from both HMI and NJDEP, and has attached responses to the comments to this TAR.</p> <p>Also, during the review period, two issues were identified with the dose assessment which require correction. One issue is that the dose assessment report states RESRAD Version 6.1 was used for evaluation of the land area, however the analysis was performed using RESRAD Version 6.22. The other issue is that two final-status soil sample results were not included in the land area dose assessment, as they should have been. The addition of these two results affects the average concentration of uranium-234 and uranium-238 in the soil (including the results lowers the average uranium concentration by 0.1 pCi/g).</p>			

Action Requested:	
1)	Review the HMI and NJDEP comments on the NRC dose assessment. Review the Region I responses to these comments, and provide concurrence or disagreement with the responses.
2)	Provide an addendum to the NRC dose assessment to accomplish the following: <ul style="list-style-type: none"> a. Correct the two issues stated above, b. Incorporate the editorial changes on the site history proposed by HMI and agreed to by Region I, as stated in the Region I response. c. If DWM disagrees with any Region I responses to the dose assessment comments, incorporate a DWM response to the applicable comment(s) in the addendum.
Recommended Action and Alternatives	<input checked="" type="checkbox"/> Accept <input type="checkbox"/> Reject
1)	One alternative is to not review the Region I responses to comments on the NRC staff dose assessment of the HMI site. Evaluating Region I's responses ensures alignment on the staff position relative to decommissioning of this site. Region I is preparing a SECY paper requesting Commission approval to terminate the NRC license and release the site for unrestricted use. The region and the program office must be in accord on this approach before such an action is requested of the Commission.
2)	Another alternative is to not amend the dose assessment to correct for the omitted soil sample results, the RESRAD version, and the editorial comments on the site history. The alternative of not including the omitted soil sample results is conservative because their addition lowers the resultant dose. The data should be included in the dose assessment, however, to provide an accurate portrayal of the current status of the NRC-licensed land area at the HMI site. The actual version of the RESRAD code that was used should be accurate so that the public knows how NRC performed the dose assessment. Not correcting this error does not impact the outcome of the dose assessment, however. Likewise, the editorial comments have no impact on the dose assessment or on the staff decision. However, incorporating the changes results in an accurate description of the processes that occurred at the site.

Region I Technical Assistance Request
 Licensee: Control No.

TARs addressing similar issues (subject, date and location):		
1) Dose Assessment for Unrestricted Future Use Scenarios Following License Termination of the Heritage Minerals, Incorporated Site in Lakehurst, N.J. (8/25/05) ADAMS Accession No. ML052410061		
Background Documents (Include date and ADAMS Accession Number):		
1) HMI Comments on NRC Dose Assessment (10/25/05) ADAMS Accession No. ML053110440		
2) NJDEP Comments on NRC Dose Assessment (10/28/05) ADAMS Accession No. ML053110437		
3) Removal of Fugitive, Licensable Soil, Heritage Mineral, Inc., Findings from Soil Removal and Sampling Activities Occurring Week of 4/14/03 (6/26/03) ADAMS Accession No. ML031960118		
Remarks:		
1) The applicable TAC for this license is U01607		
2) The two soil sample result that are to be included in the dose assessment addendum are located in the Background Document #3 (ML031960118). In ADAMS, the sample results are on page 17 of 91, and are identified as: 17-10 (total thorium = 5.57 pCi/g & total uranium = 7.50 pci/g), and 17-11 (total thorium = 1.73 pci/g & total uranium = 3.25 pci/g)		
Reviewer:	Marjorie McLaughlin	(610) 337- 5240
		Reviewer Code: L9
Needed By (date):		

DOCUMENT NAME: C:\Heritage\DA Comments TAR.wpd

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